

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

LEDALITE ARCHITECTURAL  
PRODUCTS,

Plaintiff

v.

AXIS LIGHTING, INC.,

Defendant.

Case No. 3:09-cv-00304-SLC

**CONSENT JUDGMENT**

THIS MATTER comes before the Court upon a stipulation of the parties, requesting that a consent judgment as to the matters set forth below be entered as follows:

**THIS COURT ADJUDGES AND DECREES AS FOLLOWS:**

1. This action arises under the Patent Laws of the United States, Title 35 of the United States Code.
2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 and/or § 1338(a).
3. Venue in this Court is proper.
4. Ledalite is the record owner of U.S. Patent No. D556,358 (the “‘358 patent”).
5. The ‘358 patent is presumed valid pursuant to 35 U.S.C. § 282.
6. Ledalite is the record owner of U.S. Patent No. D572,858 (the “‘858 patent”).
7. The ‘858 patent is presumed valid pursuant to 35 U.S.C. § 282.
8. Axis Lighting, Inc. (“Axis Lighting”) has made, used, offered for sale, and/or sold within the United States its “DIA” line of recessed lighting fixtures (“the Accused Products”).

9. Based upon the activity described above in paragraph 8, the parties consent to judgment for plaintiff on Count I of the Complaint with respect to the Accused Products.

10. Based upon the activity described above in paragraph 8, the parties consent to judgment for plaintiff on Count II of the Complaint with respect to the Accused Products.

**FURTHER PROVISIONS:**

11. Axis Lighting, its employees, agents, successors, assigns, attorneys, officers, companies, subsidiaries, proprietorships, and all persons in active concert with them, are enjoined from:

making, using, importing, selling and/or offering to sell the Accused Products and any merely colorable variant thereof in the United States.

12. This Court shall retain jurisdiction over the subject matter and parties to construe, enforce and implement this Consent Judgment, upon application of either party. All notices in connection with this Consent Judgment shall be deemed sufficient to each party when served by certified mail, return receipt requested, by overnight courier, or by facsimile, at the addresses indicated below or at such other place as a party may indicate in writing to the other party.

13. The parties waive their right to an appeal or otherwise contest this Consent Judgment.

14. Each party shall bear its own fees and costs.

15. Other than relief granted specifically herein, this Court grants no additional relief.

IT IS SO ORDERED AND DECREED THIS 14<sup>th</sup> day of October, 2009

Barbara R. Craft

CONSENTED TO:

LEDALITE ARCHITECTURAL  
PRODUCTS

AXIS LIGHTING, INC.

By its attorneys,

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